

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ROBERT GRAY,)	
)	
Plaintiff,)	Civil Action No. 05-11445 DPW
)	
v.)	
)	
TRANSPORTATION SECURITY)	
ADMINISTRATION; EDMUND S. HAWLEY ¹ ,)	
in his capacity as ASSISTANT SECRETARY)	
FOR HOMELAND SECURITY,)	
TRANSPORTATION SECURITY)	
ADMINISTRATION, DEPARTMENT OF)	
HOMELAND SECURITY; DEPARTMENT OF)	
HOMELAND SECURITY; and MICHAEL)	
CHERTOFF, in his capacity as SECRETARY)	
OF THE DEPARTMENT OF HOMELAND)	
SECURITY,)	
)	
Defendants.)	
)	

JOINT STATUS REPORT

Pursuant to this Court's Electronic Order dated September 21, 2005, the parties hereby provide this Court with notice regarding the status of proceedings in the United States Court of Appeals for the First Circuit.

As set forth in the parties' previous Joint Status Reports, the First Circuit granted the plaintiff's assented-to motion to stay appellate proceedings, which stated that he was engaged in active efforts to reach an informal resolution of the claims he has asserted against the government. The First Circuit ordered the parties to promptly notify the court in the event that the matter is

¹ Pursuant to Fed. R. Civ. P. 25(d)(1), Edmund S. Hawley is automatically substituted for his predecessor, James Loy, as Assistant Secretary for Homeland Security, Transportation Security Administration, Department of Homeland Security.

resolved, and also ordered the parties to file a status report on November 28, 2005, and at thirty day intervals thereafter, if the case is not resolved.

Plaintiff is continuing to discuss with the government whether this case can be informally resolved, and counsel for the parties met in person on February 7, 2006, to that end. The parties continue to make substantial progress, and the current discussions are aimed at reaching a final resolution.

Respectfully submitted,

ROBERT GRAY,
By his attorneys,

/s/ Hugh Dun Rappaport
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TRANSPORTATION SECURITY
ADMINISTRATION, et al.,

/s/ Mark T. Quinlivan
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Dated: February 21, 2006